

Walter O'Cheskey
 Chapter 13 Trustee
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IN THE UNITED STATES BANKRUPTCY COURT
 NORTHERN DISTRICT OF TEXAS
 WICHITA FALLS DIVISION

IN RE:
 NIEVES ALICIA STERNER

CASE NO: 13-70032-HDH-13
 HEARING DATE: 11/20/2013
 HEARING TIME: 10:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND
 PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
014 0 U	EAST BAY FUNDING LLC	\$1.00	016 0 U	NCO	\$1.00
017 0 U	PRA RECEIVABLES MANAGEMENT	\$1.00	018 0 U	TEXOMA COMMUNITY CREDIT UNION	\$1.00
019 0 U	WICHITA FALLS MUNICIPAL COURT	\$2,429.00	024 0 U *	CITY OF WICHITA FALLS	\$1,340.00
				<i>Not provided for in confirmed plan.</i>	

II.

SPECIFIC OBJECTIONS

No Objections

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<u>SECURED CREDITORS</u>							
008 0	WICHITA COUNTY	2012-2013 PROPERTY TAXES/7001 SEYMOUR HWY	\$1,301.45	\$27,504.00	12.00%	36	\$96.71 PAID BY TRUSTEE
	Claim term is extended from 12 to 36 months.						
009 0 *	WICHITA COUNTY	2012-2013 PROPERTY TAXES/1601 POLK ST	\$2,398.64	\$2,398.64			SURRENDERED
010 0 *	NATIONSTAR MORTGAGE LLC	1601 POLK ST, WICHITA FALLS, TX	\$0.00	\$42,000.00			SURRENDERED
011 0	WICHITA COUNTY	2012-2013 PROPERTY TAXES/#3 TOWN & COUNTRY, WICHITA FALLS	\$93.64	\$1,950.00	12.00%	36	\$3.20 PAID BY TRUSTEE
015 0 *	MONTEREY COLLECTIONS	PURCHASES/CRESTENT JEWELRY	\$82.57	\$26.97	8.00%	36	\$1.16 PAID BY TRUSTEE
	Debt provided as unsecured in confirmed plan; claim filed secured. See Trustee's Modification below.						

UNSECURED GENERAL CREDITORS

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
012 0 U	AAFES / MIL STAR / EXCHANGE	\$115.35	013 0 U	DISCOVER FINANCIAL SERVICES	\$8,604.31
	<i>PURCHASES</i>			<i>PURCHASES</i>	
025 0 U *	EAST BAY FUNDING LLC	\$807.41	026 0 U *	PRA RECEIVABLES MANAGEMENT	\$2,725.85
	<i>PURCHASES/CHASE BANK USA</i>			<i>PURCHASES/SEARS PREMIER CARD</i>	
	<i>Not provided for in confirmed plan.</i>			<i>Not provided for in confirmed plan.</i>	

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

IV.

TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s) Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

Monterey Collection's \$82.57 secured claim shall be valued for \$26.97 and paid through the plan at 8% interest over 36 months with monthly payments of \$1.16. Wichita County's \$1,301.45 secured claim shall be valued for \$27,504.00 and paid 12% over 36 months with monthly payments of \$96.71.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 11/20/2013 AT 10:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 208, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 9/24/2013

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

AAFES / MIL STAR / EXCHANGE C/O CREDITORS BANKRUPTCY SERVICE PO BOX 740933 DALLAS TX 75374
AAFES/MILITARY STAR PO BOX 740933 DALLAS TX 75374
CITY OF WF, WFLSD, WICHITA CO C/O HAROLD LEREW PO BOX 8188 WICHITA FALLS TX 76307
CITY OF WICHITA FALLS PO BOX 1431 WICHITA FALLS TX 76307
DISCOVER FIN SVCS LLC PO BOX 15316 WILMINGTON DE 19850
DISCOVER FINANCIAL SERVICES PO BOX 3025 NEW ALBANY OH 43054
EAST BAY FUNDING LLC C/O RESURGENT CAPITAL SERVICES PO BOX 288 GREENVILLE SC 29603
EAST BAY FUNDING LLC PO BOX 288 GREENVILLE SC 29602
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA PA 19101
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101
MONTEREY COLLECTIONS 4095 AVENIDA DELA PLATA OCEANSIDE CA 92056
NATIONSTAR MORTGAGE LLC 350 HIGHLAND DRIVE LEWISVILLE TX 75067
NATIONSTAR MORTGAGE LLC PO BOX 299008 LEWISVILLE TX 75029
NATIONSTAR MORTGAGE PO BOX 630267 IRVING TX 75063
NCO 2703 N HIGHWAY 75 SHERMAN TX 75090
NIEVES ALICIA STERNER 7001 SEYMOUR HWY WICHITA FALLS TX 76309
PRA RECEIVABLES MANAGEMENT PO BOX 41067 NORFOLK VA 23541
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541
TEXOMA COMMUNITY CREDIT UNION PO BOX 1320 WICHITA FALLS TX 76307
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530
WICHITA COUNTY PO BOX 1471 WICHITA FALLS TX 76307
WICHITA FALLS MUNICIPAL COURT 611 BLUFF STREET WICHITA FALLS TX 76301